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ABSTRACT

This report reflects positions arrived at by the Task Force as a result of extensive literature reviews; site investigations; meetings and conferences; and interviews with parents, teachers, students, and administrators. The contents include (1) findings on the use and effect of physical punishment, (2) some suggested alternatives to the use of physical punishment, (3) recommendations, and (4) a proposed model law outlawing corporal punishment. (JF)

REPORT OF THE TASK FORCE ON CORPORAL PUNISHMENT

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PREFACE

At its 1971 annual meeting, the NEA Representative Assembly referred the report of the NEA Task Force on Student Involvement to the Executive Committee and Board of Directors for implementation. One of the recommendations which accompanied the report called for the appointment of a task force on corporal punishment:

> That a task force be appointed to study corporal punishment in the schools, including the extent of its use and alternative forms of motivations. The task force should develop action programs and plan institutes that demonstrate ways in which effective discipline can result from relevant school experience fostered by highly qualified professional staffs, creative teaching strategies, and meaningful student-teacher-administrator communication.

Accordingly, in January 1972, the Task Force on Corporal Punishment was appointed and began to work. The members represented both students and many parts of the teaching profession, and came from urban, suburban, and rural areas in all regions of the country: Julian D. Hudson, chairman, classroom teacher, Charlottesville, Virginia; David Almada, teacher, graduate education student, Los Angeles; Virgil Blanke, college teacher, Worthington, Ohio; Juanita Brice, classroom teacher, Flint, Michigan; Cheryl Epling, special education teacher, New Orleans; Angel Noe Gonzalez, superintendent of schools, Crystal City, Texas; Leonard Herrera, high school student, Los Angeles; Jacqueline Holland, classroom teacher, Tappan, New York; Ernest Horn, president, state association, and director, education student services, Indiana University; Rio Rita Jackson, reading teacher, Memphis; Marge Logisz, education student and NEA intern, Washington, D.C.; and Edward Wright, assistant superintendent for curriculum and instruction, Owensboro, Kentucky. NEA staff assisting the Task Force were Bernard McKenna, staff contact; Steve Nassau, legal consultant; Jane Power, writer; and Pat Mikes, administrative coordinator. NEA staff consultants to the Task Force were Boyd Bosma, Center for Human Relations; Charlotte Hallam, DuShane Fund; and Paul Haubner, Professional Rights and Responsibilities Commission.

The Task Force planned site investigations that would give the members a chance to get as many different viewpoints as possible. To do this, they went to urban, suburban, and rural areas in the Midwest, Southwest, Pacific coast, Southeast, and East Coast. They talked with teachers, students, representatives of community and parent groups, administrators and officials of administrative groups, school board members, college and university faculty members. They visited innovative schools and attended community meetings, school board meetings, and a national conference on corporal punishment. They also studied literature on the subject. The information, opinions, and reasoning they gathered presented many sides of the issue of corporal punishment. On the basis of these varied sources, the Task Force arrived at the positions reported here.

INTRODUCTION

The work of the teacher today is both crucially important and crushingly difficult. Preparing students for all the roles in society—including that of the teacher—is only one part of the teacher's function. The teacher has the traditional task of helping orient students to the culture and political system of America today. He must, in addition, help students develop themselves into mature individuals.

As teachers gain stronger positions of leadership through professional negotiation and other cooperative action, they will have more control over their effectiveness in the classroom. At present, however, they maintain their concern for the welfare of children while performing a job grown almost unmanageable. Stifling working conditions restrict their use of their own expertise and creativity. The postures of the greater community range from urgently demanding to extremely apathetic—both can prevent teachers from securing support in their work. Even under adverse conditions, teachers continue to work to improve the education their schools provide. It is small wonder that at times they have been driven to take actions toward students that they themselves do not approve.

RECOMMENDATIONS

The Present Situation

The Task Force based its recommendations on specific aspects of the current situation in America's schools which were emphasized in the testimony received:

I. The Task Force believes that teachers and other school personnel abhor physical violence of persons toward each other, no matter what the form—alley fights, gang warfare, repression by law enforcement agencies, or war between nations. This was abundantly clear from testimony of the great variety of persons who appeared before the Task Force.

II. The Task Force believes that no teacher consciously wants to inflict pain, either physical or psychological, upon a young person. The Task Force site investigations provided much evidence that almost all educators want to do the very best they know how—as circumstances permit—for every young person in their charge. Witnesses indicated, too, that teachers want to establish the best possible human relationship with their students.

III. The Task Force believes that teachers and other educators use corporal punishment almost exclusively where conditions for dealing with disruptions are so poor that the school staff has reached a point of total frustration. Inequities and inadequacies of the educational system make good education impossible in many schools. The best efforts of a school staff may be thwarted by such conditions as: groups too large for individualization and personalization; materials too narrow in scope and scarce in quantity to provide motivation; and psychological and social service support too rare to provide assistance for students with severe emotional and social problems. (In "Long-Range Solutions for Schools," the Task Force will delineate minimal conditions that must be provided if educators are to deal with disruptions in other ways than by inflicting physical pain on children.)

IV. The Task Force believes that teachers lack both opportunity and support for needed in-service education and growth in identifying, developing, and practicing alternatives to the infliction of pain as a disciplinary technique. In some schools, conditions give teachers leeway to use disciplinary measures that are educationally sound. Even teachers in such schools, however, haven't often enough experienced preservice education that provides them with thorough grounding in such measures. The climate of the school, the pressure of time, lack of encouragement from administrators, and lack of examples of the practice of other methods together prevent teachers from securing independently the education in alternative discipline that has been denied them.

V. The Task Force believes that no single group within the educational system is able to change that system or set standards independently of the system. Teachers are eager to practice the best known methods of discipline, but they need leadership and support from administrators, counselors, and other staff members if they are to effect permanent improvement.

VI. The Task Force believes that the education association has a responsibility to demonstrate educational leadership in the community.

Action for Change

The Task Force recommends that to help correct the conditions described above—

1. All educators move immediately to phase out, over a one-year period beginning with the 1972-73 school year, infliction of physical pain upon students, except for purposes of restraint or protection of self or other students.

2. The National Education Association take an official position opposing the infliction of physical pain upon children for the purposes of discipline and calling for a time schedule for its elimination in all schools.

3. The National Education Association propose and support the adoption of model state legislation for outlawing corporal punishment. It should urge and assist its state affiliates to achieve that end (See model act, Appendix p. 29).

4. The National Education Association, through its Center for Human Relations and Division of Instruction and Professional Development, and state and local education associations assist members in securing the minimal conditions necessary for dealing with disruption and in identifying and developing alternatives to inflicting physical pain on students.

5. The National Education Association and state and local education associations move, through negotiation or other means, to secure for all teachers released time during the school day so they can obtain the in-service education necessary to routinely utilize alternative methods of maintaining discipline.

6. The National Education Association, state and local education associations, and student education associations encourage teacher education institutions to provide all students instruction in educationally sound ways of developing and maintaining good learning conditions.

7. The National Education Association establish a Task Force, at least half of whose members are students, to develop packages presenting alternative methods, for use by state and local education associations, school systems, and teacher education institutions in in-service or preservice programs.

FINDINGS: THE USE AND EFFECT OF PHYSICAL PUNISHMENT

Scope of the Investigation

In its investigation of rationales and results of corporal punishment, the Task Force limited its consideration to the infliction of physical pain for the purpose of discipline.

Physical Restraint

The Task Force determined, for one thing, that the concept of corporal punishment does not include use of physical restraint as a means to prevent or stop harm to the student, to other people, or to school property.

The Metropolitan Detroit Branch of the American Civil Liberties Union of Michigan distinguishes the two uses of physical strength as follows:

> Corporal punishment: The infliction of bodily pain as a penalty for doing something which has been disapproved of by the punisher.
> Physical restraint: The prevention of another's actions by physical force directed against that person in such measure and no greater than is sufficient to prevent such actions.
> --Metropolitan Detroit Branch, American Civil Liberties Union of Michigan. Corporal Punishment in the Public Schools. Policy statement. 1967. p. 4.

The New Jersey law forbidding corporal punishment specifically permits necessary restraint:

> No person employed or engaged in a school or educational institution, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution; but any such person may, within the scope of his employment, use and apply such amounts of force as is reasonable and necessary: (1) to quell a disturbance, threatening physical injury to others; (2) to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil; (3) for the purpose of self-defense; and (4) for the protection of persons or property; and such acts, or any of them, shall not be construed to constitute corporal punishment within the meaning and intendment of this section. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing corporal punishment to be inflicted upon a pupil attending a school or educational institution shall be void.

as does a proposed amendment to the Ohio law permitting corporal punishment:

> NO person employed or engaged as a teacher, principal, or administrator in a school, whether public or private, may inflict or cause to be inflicted, ~~reasonable~~ corporal punishment upon a pupil attending such school. ~~Whenever such punishment is reasonably necessary in order to preserve discipline while such pupil is subject to school authority~~. HOWEVER, such persons and noncertificated school employees and school bus drivers may, also within the scope of their employment, use ~~and apply~~ such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain posession of weapons or other dangerous objects upon the person or within the control of the pupil for the purpose of self-defense, or for the protection of persons or property.

Psychological Punishment

The Task Force did not consider in depth other forms of punishment that are likely to injure the student, such as humiliation, except as a concomitant effect of corporal punishment. They recognize purely psychological punishment as a serious problem and stress the importance of studying its causes, effects, and remediation.

Disciplinary Value of Punishment

Finally, the Task Force did not formulate a position on whether, in fact, punishment alone is an effective form of discipline. In 1957, the NEA's Research Division described two major philosophies of discipline:

Some schools conceive of discipline as being largely restrictive and negative. Pupil control in these schools is usually maintained by rules and regulations governing pupils' behavior accompanied by penalties for violations of these rules. The penalties most commonly imposed are detention after school, withdrawal of privileges, reprimand, suspension, imposing special tasks, expulsion, and corporal punishment.

Other schools base discipline upon concepts of developmental psychology and regard discipline as a learning process by which the pupil is guided in the development of self-control and in the recognition of his responsibilities to himself and to his group. This program emphasizes prevention as well as correction of misbehavior. When undesirable behavior does occur, the practice is to study the pupil and his background and to attempt to remedy the conditions which led to the misbehavior. The penalties for the misbehavior are corrective in nature and directly related to the misdeed. Along with the immediate remedial program action a long-term program of learning experience is initiated to stimulate desirable behavior.

--National Education Association, Research Division. Ten Criticisms of Public Education. Research Bulletin. "Discipline in the Public Schools." 35:153; December 1957.

Selecting a form of punishment places the teacher in a dilemma:

Apart from the natural repugnance which is felt at the use of punishment, it is almost certainly one of the clumsiest and least reliable instruments of education.

This becomes evident when one considers how unsatisfactory are almost all forms of punishment available to the teacher....

If they are not related to some part of the school work, or to some worthwhile activity, they are a waste of time; and if they are so related, they have the profoundly uneducational effect of connecting these occupations with punishment, which is, by definition, associated with guilt and unpleasantness.

--MacKenzie, William I. "Discipline in an Educational Setting." Discipline in Schools. (Edited by Lawrence Stenhouse.) New York: Pergamon Press, 1967. pp. 36-37.

According to Albert Bandura (Principles of Behavior Modification. New York: Holt, 1969), mild aversive punishments lose their effect; to be continually effective, a punishment must be almost traumatic to combat the effects of lack of reinforcement and lack of rewarded alternatives.

There seems to be a rather general agreement among administrators today that the best disciplinarian is one who puts the stress on avoiding discipline problems rather than one who contrives to plan and use successful systems of punishment to control overt actions after they take place.

--Walch, J. Weston. High School Discipline. 1963.

If one wished merely to suppress unwanted responses during the time pupils are under the teacher's eye, consistent punishment would be expected to do the job. If the aim is to teach pupils to regulate their own conduct so that the teachers' pressure can be removed, punishment will not work. A pupil is most likely to do what the teacher wants when she indicates positively what response she wants.

--Cronbach, Lee. Educational Psychology.

In view of the high risk of undesirable results, punishment should be employed rarely and then only with the greatest caution. As a very minimum it should be clear in our minds what we hope to accomplish. This means that there should be some solid reason for believing a particular child really benefits from it. Too often the decision is made on the spur of the moment because a teacher just can no longer stand a type of conduct or the personality of a particular offender. In truth, the real purpose is to relieve tension in the teacher or parent.

--Redl, Fritz, and Wattenberg, William W. Mental Hygiene in Teaching. New York: Harcourt, Brace and Co., 1951. p. 307.

General Conclusions About Physical Punishment

The Task Force bases its position on the use of corporal punishment on testimony and literature that lead to the following conclusions about the infliction of physical pain as a method of maintaining discipline.

1. Physical punishment is an inefficient way to maintain order; it usually has to be repeated over and over.

2. Physical punishment may increase disruptive behavior.

3. Physical punishment hinders learning.

4. Physical punishment is not suitable for any children, regardless of their socioeconomic status.

5. Physical punishment is most often used on students who are physically weaker and smaller than the teacher.

6. Physical punishment is often a symptom of frustration rather than a disciplinary procedure.

7. Infliction of physical punishment is detrimental to the educator.

8. Physical punishment does not develop self-discipline.

9. Physical punishment develops aggressive hostility.

10. Physical punishment teaches that might is right.

11. Physical punishment by educators is not comparable to that inflicted by parents.

12. Students may prefer physical punishment to other alternatives offered them.

13. Limitations on the way physical punishment is to be used are often regularly ignored.

14. Physical punishment is legal in many places, but its constitutionality is being challenged in several court suits.

15. The availability of physical punishment discourages teachers from seeking more effective means of discipline.

16. The use of physical punishment inclines everyone in the school community to regard students as less than human and the school as dehumanizing.

Weight of Opinion Regarding Corporal Punishment

The Task Force examined all the reasons it could identify for the use of corporal punishment in both oral testimony and written materials. They found, however, that the weight of fact and reasoning was against the infliction of physical pain as an attempt to maintain an orderly learning climate.

More and more teachers share this opinion. Surveys by the NEA Research Division found that in 1960 71.6 percent of teachers favored use of corporal punishment in the elementary school; by 1969, only 65.7 percent of teachers queried held this opinion. The difference in opinions regarding corporal punishment in the secondary school was slight: 47.7 percent favored it in 1960; 47.5 percent in 1969. Support for corporal punishment had declined more sharply among women: 69.2 percent in 1960, but 61.5 percent in 1969, favored it. (National Education Association, Research Division. "Corporal Punishment: Teacher Opinion." NEA Research Bulletin 48:49; May 1970.)

Those educators who favor corporal punishment may lack information about the range of disciplinary methods. The president of the Pittsburgh Teachers Federation, for example, commented: "Until somebody comes up with an alternative, we'll support it (corporal punishment). It's a quick way to show disapproval—like the city giving me a ticket when I park illegally." (Wall Street Journal, June 16, 1970, p. 1.) He evidently failed to recognize that corporal punishment is more nearly analogous to being struck by a policeman for parking illegally.

An article in the Bulletin of the National Association of Secondary School Principals reported results of interviews in schools in the United States, Canada, and fourteen European and Middle Eastern countries—

> Generally, teachers, administrators, and parents recognize that corporal punishment involves more dangers than advantages. The opinion can be summarized as follows:
>
> a. Corporal punishment is a means of dealing with the symptoms, not the cause.
>
> b. Those usually given corporal punishment are used to it and, as a result, it has little deterrent effect in some cases.
>
> c. Corporal punishment and teaching as a profession do not belong together.
>
> d. Expulsion or segregation has greater effect on the student than corporal punishment. (The Task Force supports temporary removal of a child from the class situation until he becomes calm. It opposes, however, any long-term exclusion, which would constitute denial of educational opportunity.)
>
> e. The use of corporal punishment is usually employed by those who should not be permitted to use it. They seek to eliminate or control a problem rather than to solve it.
>
> f. An increasing number of districts legislate against the use of corporal punishment or so regulate its use that it has greatly decreased as a practice in disciplinary cases.
>
> --Vredevoe, Lawrence E. "School Discipline: Third Report on a Study of Students and School Discipline in the United States and Other Countries." Bulletin of the National Association of Secondary School Principals 49:215-16; March 1965.

So weighty was the evidence, in fact, that it became obvious that corporal punishment is used, not because it has proven to be effective, but because its ineffectiveness has not been thoroughly understood and accepted.[1]

Specific Testimony and Literature Regarding Corporal Punishment

Most of the arguments in favor of corporal punishment are specifications of three general propositions:

- It's necessary to protect teachers and maintain a functioning learning environment.
- It's good for students.
- The school's clients favor it.

Occasionally arguments are heard which purport to support the practice but don't in fact address the justification of corporal punishment at all:

- It isn't used much anyway.
- It's legal.

---

[1] In our schools, I can cite no example whereby corporal punishment has solved any problems. However, I could cite several examples where mild forms of corporal punishment have created major problems.
--Nation's Schools. "Opinion Poll: Swat Students Who Misbehave, Say 9 Out of 10." Nation's Schools 73:58; February 1964.

Although corporal punishment is not universally condemned, a review of the literature concerning corporal punishment in the public schools and analysis of replies from officials of forty-eight state departments of education seem to warrant the following statements:

> 1. Most psychologists disapprove of corporal punishment as a method of control in the public schools....

(The other five statements given are statistical, indicating that the first point was not made without precision.)

--Jones, Morris Val. "The Legal Status of Corporal Punishment in the Public Schools." California Journal of Educational Research 15:149; May 1964.

Let's examine the arguments the Task Force heard in each of these categories, together with some of the relevant Task Force findings.

"Corporal punishment is necessary to protect teachers and maintain a functioning learning environment."

This belief may frequently result from teachers' lack of access to thorough grounding in educationally sound procedures.[2]

"DISCIPLINE HAS TO BE MAINTAINED SOMEHOW."

Scholars of education agree, however, that corporal punishment is an extremely inefficient way to preserve order.[3] In fact, William Katz of Illinois' Governors' State University defines corporal punishment as "an ineffective means of control by professionally trained personnel." (Interview with Task Force, January 19, 1972.) However, notes another educational psychologist:

> There is the danger that teachers may sometimes feel that punishment has worked in a particular case, since certain inappropriate deeds are no longer observed in the classroom. Although punishment inhibits behavior for a time, the behavior can spontaneously reappear. Just because children are quiet does not mean they will not quickly return to their "old selves" again and become noisy and uncontrollable. One act of punishment does not erase inappropriate behavior; repeated attempts at punishment are generally necessary to extinguish behavior completely.
>
> --White, William F. Psychosocial Principles Applied to Classroom Teaching. New York: McGraw-Hill Book Company, 1969. pp. 22-23.

> Unless the aftermath is watched we can often be deceived into believing we have achieved a result which we have not. Children are quite likely to show surface deference and good behavior after any such incident. Inwardly, they may be seething with contempt or be bitter at injustice. Aggressive feelings driven underground may turn up in fights among children.
>
> --Redl, Fritz, and Wattenberg, William W., op. cit., p. 309.

> A number of states and cities very wisely have made physical punishment illegal. In such school systems both teachers and children survive very nicely. The fact is that whippings, slappings, beltings, and paddlings can accomplish nothing that cannot be achieved better by some other method. The very conditions which physical punishment involves violate the known requisites for producing a psychologically justifiable result. Pain, whether produced quickly by a blow with a ruler or slowly by forcing a child to stand still in one place, invites anger, or panic, or bravado, which accomplish nothing.
>
> --Redl, Fritz, and Wattenberg, William W., loc. cit.

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[2]It is unfortunate that so many teachers and principals appear to be unaware that effective and more humane alternatives do exist and are readily available.

--Reitman, Alan; Follmann, Judith; and Ladd, Edward T. Corporal Punishment in the Public Schools: The Use of Force in Controlling Student Behavior. ACLU Reports. New York: American Civil Liberties Union, 1972. pp. 3-4.

[3]Research indicates that where corporal punishment is regularly used...it is accepted as routine and is no more a deterrent than any other punishment. Students may feel left out if they are not sometimes whipped, and may even boast of the severity of a whipping and the skill of the master who gave it.

--Cutts, Norma A., and Moseley, Nicholas. Teaching the Disorderly Pupil in Elementary and Secondary School. New York: Longmans, Green and Co., 1957. p. 34.

The secondary-school student who admits he has done wrong is quite likely to take the punishment as a quid pro quo. He shrugs it off. Commenting on punishments from scolding to paddling, high-school students make remarks like, "I felt nothing about it," "It didn't bother me at all," and "I didn't think too much about it."

--Ibid., pp. 141-42.

There's no beneficial carryover effect when the threat of punishment is removed;[4] it is commonly used again and again on the same students.

> Results of experiments indicate that punishment does not permanently reduce a tendency to respond. Thorndike's experiments with human subjects indicated that a reward strengthened the behavior which preceded it but that punishment did not weaken it.
>
> --Bigge, Morris L., and Hunt, Maurice P. Psychological Foundations of Education. Harper's Series on Teaching. (Ernest E. Bayles, series author). Harper & Bros., New York, 1962. pp. 327-28.

In fact, both the direct recipients of corporal punishment and other students who witness it may increase their disruptive behavior because it is administered.[5]

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[4]Through reward, behavior may be stamped in; but the converse, that through punishment it can be stamped out, does not hold. Whereas reinforcement can be controlled to good advantage, in the long run punishment works to the disadvantage of both the punished organism and the punishing agency. Its results are neither predictable nor dependable. Extinction—permitting a behavior to die out by not reinforcing it—and not punishment is the appropriate response for breaking habits.

--Bigge, Morris L., and Hunt, Maurice P., loc. cit.

I've never known anybody to improve his behavior by being beat up. Spanking scares some kids, humiliates them, and even satisfies some kids who want punishment. But I don't know anyone who can honestly say that he was helped by being spanked.... It is only in the very, very extreme cases that punishment is needed, and the school shouldn't have to deal with those cases. When a child's behavior is so extreme that it disrupts the school, he should be referred to his parents or even to the police.

--Felton, John. "Corporal Punishment: To Paddle or Not To... It's Still an Issue." Dayton Journal Herald, January 3, 1972. p. 21.

[5]Although firmness and follow-through are essential, the teacher should avoid being rough and harsh, since these qualities not only tended to increase disruptive behavior among the witnesses but to lower students' estimations of the teacher's helpfulness, likeability, and fairness. Roughness is not just an increased degree of firmness. And it is undesirable because it decreases the likelihood that the student will model his behavior after the teacher's. That is, it interferes with identificatory learnings.

--Clarizio, Harvey F. Toward Positive Classroom Discipline. New York: John Wiley & Sons, 1971. pp. 64-65.

Students who aren't cowed and are nonetheless subjected to threats and punishments tend just because they aren't cowed to respond to what they view as attacks on them with hostility and aggression; the very actions intended to improve their behavior make it worse. Even when cracking down brings these students into immediate compliance, it produces in the long run more trouble.

--Ladd, Edward T. "Legal Problems Arising from the Regulation of Student Behavior in Classroom and School." Paper delivered to the University of Texas School Law Conference, San Antonio, Texas, November 16, 1971. p. 19.

Spanking lays the groundwork for more and more misconduct, quickly establishing the most vicious of all circles. Kounin and Gump, research psychologists, have recently found that children who had punitive teachers manifested more aggression in their misconduct, were more unsettled and conflicted about misconduct in school and were less concerned with learning and school-unique values.

--Burton, Alan DeWitt. The Authentic Child.

Rough and threatening behavior (on the part of the teacher) tends to lead to disruptive conduct.

--Smith, B. Othanel. "Discipline." Encyclopedia of Educational Research. Fourth Edition. New York: Macmillan Company, 1969. p. 296.

Psychologists are unanimously agreed that corporal punishment is a totally ineffective disciplinary device. In fact, there is strong evidence that the results produced by it are the opposite of the results desired. Instead of making children more cooperative and compliant with school regulations, corporal punishment is likely to increase both their hostility towards school authority and the behavioral problems which, in part, reflect this hostility.

--Waxman, Henry A. (California Legislature). Letter to the President, Los Angeles City Board of Education, January 25, 1972. p. 1.

Furthermore, this method not only doesn't contribute to learning, but is likely to hinder it.[6]

> The effect of disciplinary techniques on children's attitudes toward misbehavior was studied by using three pairs of first-grade teachers, one of each pair rated as punitive, the other as non-punitive. (Kounin and Gump, 1961).... Pupils of punitive teachers showed more concern with aggression and physical assault. In addition, punitive techniques tend to induce conflicts and uncertainty about behavior. Then, too, it was found that teachers' punitiveness distracts pupils from their concern with school work. Pupils with nonpunitive teachers talked more about learning, achievement losses, and violations of school values and rules as a result of misconduct than pupils whose teachers used punitive measures.
>
> --Smith, B. Othanel, loc. cit.

> The undesirable emotions aroused by punishment, that is anxiety, or fear, do not remain confined to the one stimulus but spread like the ripples on a pond to every aspect of a class's activity.
>
> --Stones, E. An Introduction to Educational Psychology. London: Methuen and Co., 1966. p. 96.

> After having been taught a lesson, if a child has not learned, we reteach. If he still hasn't learned, we reteach again and look for reasons for the learning difficulty. At one time it was customary to hit the child on the knuckles with a ruler every time a wrong answer was given. We no longer use this method because we know that all a child learns is to hate, and if there is an effect on his desire to learn the subject, it is diminished. However when a child has failed to learn proper behavior, we don't reteach but punish.
>
> --Marsico, Ann. "Control Without Punishment." High Points in the Work of the High Schools of New York City 47:9-19; April 1965.

---

[6] After punishment, nonadaptive behavior is likely. Strong punishment develops anxiety, dislike for the task, and hostility toward school.

--Cronbach, Lee J. Educational Psychology. New York: Harcourt, Brace and Company, 1954. p. 55.

Certain kinds of brutal punishment may actually inhibit this process (understanding) and the development of rationality, especially if such punishment is allied, as it usually is, to merely mechanical teaching methods.

--Dixon, Keith. "Discipline, Freedom and the Justification of Punishment." Discipline in Schools: A Symposium. (Edited by Lawrence Stenhouse.) New York: Pergamon Press, 1967. p. 180.

The deliberate association of pain with learning is found to instill a distaste for the art of study that may be of lasting influence.

--American Civil Liberties Union. "Memorandum on Civil Liberties and Corporal Punishment in the Public Schools." p. 8.

By punishing behavior we wish to suppress we arrange conditions under which acceptable behavior is strengthened, but the contingencies do not specify the form of the latter behavior. When we punish a student who displeases us, we do not specify pleasing behavior. The student learns only indirectly to avoid or escape our punishment.

--Skinner, B. F. The Technology of Teaching. New York: Appleton-Century-Crofts, 1968. p. 187.

If (the teacher) does use punishment or negative reinforcement, ... he should realize that he may be able to teach children not to do something but he will find it very difficult to teach them to do something in this way.

--Stones, E., op. cit., p. 393.

The harmful effects of corporal punishment upon the learning process are connected largely with the spread of anxiety from the punishment to associated people, things, and situations. Mowrer has shown that the anxiety connected with a pain-producing stimulus becomes related also to the other stimuli that accompany or precede it. (Cites Mowrer, O. H. "A Stimulus-Response Analysis of Anxiety and Its Role as a Reinforcing Agent." Psychological Review 46:553-65; 1939.)

--Nash, Paul, op. cit., p. 302.

Apart from all feelings on the subject, even its exponents cannot claim that this punishment (spanking) teaches anything. At its worst, it is the only punishment that creates its own appetite, so to speak; it is self-perpetuating because no learning takes place and the cycle of crime and punishment renews itself interminably.

--Fraiberg, Selma. The Magic Years. New York: Scribners, 1959. p. 253.

Corporal punishment also tends to inhibit and to immobilize energies which are so essential in helping a Black child relate to a learning environment.

--Harris, Hiawatha (Medical Director, Central City Community Mental Health Center). Letter to Black Education Commission, Los Angeles City School Board, January 27, 1972. p. 1.

Corporal punishment may also cause lasting psychological damage to the student. The failure of the method is somewhat masked in schools where it is used only "after everything else has failed"; the fact that it is thus necessarily the last method to fail doesn't mean it's any more effective than the first method that failed. The fact that it is available may decrease the thoroughness with which earlier alternatives are pursued. Once begun, it is likely to be repeated until the student finally is suspended or expelled or pushed out of school since these are the only strategies that lie beyond "the last resort." At this point, the student is labelled "incorrigible."

Experience in some British primary schools and some American schools demonstrates that behavior problems become minimal when students work on activities that interest them.

One principal described for the Task Force some other conditions that increase good behavior: "A happy child, a full child, doesn't fight." His school, housed with a community center, sees that its students get whatever food and clothing they need through community agencies. It also provides a half-hour break for recreation every day, often without supervision. "So far, we've had about five fights from September through March."

Staff members of a street academy told the Task Force that they interest their students, who dropped out of public school, by showing them the reasons they needed to learn certain things. Social problems at the academy have decreased every year; so far, no one has been expelled.

Improvement in the quality of teaching and in the level of discipline are always followed—if the standards are raised high enough—by the disappearance of corporal punishment....
(A study of 30 English schools showed) that the schools where corporal punishment was absent had the best records of behavior and delinquency, despite being in areas with the lowest average ratable (taxable) value. It is also notable that behavior deteriorates and delinquency increases as corporal punishment increases.

--Nash, Paul, op. cit., pp. 300-301.

"SOME SCHOOLS OFFER NO OTHER RESOURCES FOR DISCIPLINE."

Teachers in schools with very limited resources and supportive staff often feel that corporal punishment is their only recourse in maintaining order. One teacher told the Task Force:

We really have no means of discipline other than appealing to the child's better nature. If we keep them after school, that's punishing the teacher, and besides, the schools are dangerous after hours. If we sent them away, where would we send them? We can't just turn them loose on society; that would be shirking our responsibility.

These schools are likely to be those in which the students' standards of behavior differ markedly from those of the professional staff. Problems are more noticeable and seem more serious when students and staff express motives and feelings in mutually incomprehensible ways. But corporal punishment is no more effective in improving behavior in these schools than elsewhere—

There is no indication here that social deprivation necessitates more frequent use of corporal punishment. (Cites Inner London Education Authority. Discipline in Schools.)

--Sproule, Anna. "Caning in London is on the Way Out." The Times Educational Supplement (London), November 9, 1970.

It is clear that repression does not work, that "cracking down" serves only to breed more defiance and disruption, which breeds more repression, and so on ad infinitum. And all the more so when "cracking down" is accompanied by the kind of arbitrariness, racial prejudice, assumption of student guilt, and general disregard of individual rights that characterizes "difficult" schools.

--Report of Concerned Parents Committee, Covina, California. p. 14.

The fact that physical punishment has no dollar cost may make it attractive to teachers in schools with limited resources. The attraction is misleading and irrelevant, however, since the method is ineffective. Furthermore, barrenness of working conditions and lack of support are scarcely reasons for inflicting physical pain on students. It is one more difficulty they have to combat in facing the school and the world beyond it.

Rebellious behavior is largely a reaction to the school itself and to its promises, not a failure of the family or community.... For a large part of the population... the school has nothing to promise.

--Stinchcombe, Arthur I. Rebellion in a High School. Chicago: Quadrangle Books, 1969.

"IT'S THE ONLY THING SOME KIDS UNDERSTAND."

This means only that "some kids" haven't been exposed to other, more constructive forms of discipline. In practice, the idea is often used to discriminate against poor people and members of minority groups:

People say "the students in West Dallas and South Dallas do not understand anything but a board." These communities are made up almost entirely of Negroes and Latin Americans.

According to the chairman of the superindent's corporal punishment committee in Los Angeles, corporal punishment is more common in ghetto and barrio schools.[7] An editorial of station KHJ in Los Angeles states:

This type of punishment varies from school to school making it an inconsistent ruling throughout the vast Los Angeles system. Many times swatting is used in the inner city central schools which affect minority children while it is ignored by teachers and administrators in the suburban communities. Other institutions such as the Youth Authority have abolished all forms of physical punishment because of ineffective results.

--February 16, 18, 1972.

The Black Education Commission of the Los Angeles City Schools considers corporal punishment an obstacle to the education of Black people.

We see corporal punishment as one of those intimidating and demeaning factors which must be removed in order for young Black people, especially young Black men, to be totally free and responsive to the process of learning.

--Black Education Commission, Los Angeles City Schools. "Abolition of Corporal Punishment." (Memorandum) January 27, 1972.

Even when children are truly ignorant of other methods, there is no reason to continue limiting their experience and teachers' options this way. Most children don't come to school understanding algebra; they learn it in school, if a teacher is willing to take the time to help them. Similarly, children whose

[7]This archaic method of dealing with our Barrio children, because this is where the conditions are really bad, has got to go. Absences are many. Could it be our children are being driven out by those good teachers who take the easy way out, the paddle, wet tennis shoes, wet towels, etc.?

Whereas the state code permits swatting, it forbids slapping, shaking, hair pulling—a common occurrence in our Barrio schools.

--Julia Luna Mount, President, Roosevelt Parents Advisory Council, Los Angeles. "Corporal Punishment in the Barrios." (Statement) January 24, 1972.

understanding of discipline and self-discipline is limited can learn more about the subject from their teachers.

"TEACHERS HAVE TO BE PROTECTED."

Corporal punishment is no more effective as protection, however, than as a means of improving students' behavior.

> The adolescent against whom protection is sought will respond not with unruliness in the classroom, but with a zip-gun in a dark hallway.
>
> --Harms, Ernest. "Under the Sign of 'the Club.'" School and Society 87:192; April 25, 1959.

Then, too, it is high school students, because of both their size and their greater maturity, who are the most physically threatening to teachers. But corporal punishment is used most frequently on junior high and elementary students.

> Many districts say that only K-6 teachers should be allowed to use corporal punishment. And, to no one's surprise, almost all say the practice does not apply to secondary schools.
>
> --Nation's Schools. "Opinion Poll: Corporal Punishment OK If Used Sparingly." Nation's Schools 87:39; May 1971.

Even people who do not reject physical punishment of small children disapprove its use on older students:

> We seriously question the effectiveness of corporal punishment in the secondary grades.... The use of some type of suspension in secondary schools rather than corporal punishment is clearly indicated.
>
> --Larson, Knute G., and Karpas, Melvin R. Effective Secondary School Discipline. Englewood Cliffs, N.J.: Prentice-Hall, 1963. pp. 148-49.

One witness told the Task Force that corporal punishment does less good the older the student is: "When a student gets that old, you can talk with him and reason with him." The same witness differentiated the efficacy of corporal punishment by not only age, but socioeconomic class: "It would destroy the relationship with an upper-class high school kid, but it helps with the lower-class white kids in junior high."

Another witness attributed its greater prevalence in elementary schools than where students are older to the fact that older students are more likely to rebel or strike back, so that suspension and expulsion are more common punishments for them.

A school board representative in the same district gave both reasons: "As kids grow up, you can reason with them more—also, teachers are afraid of them."

A principal reportedly looked at it differently: "When I found that I hit smaller kids harder than bigger kids, I realized I'd better stop hitting any kids." As one teacher told the Task Force, "You can't corporally punish a dude that's six-foot-five. So you can't punish somebody that's four-foot-two and weighs 98 pounds."

Any subduing effect corporal punishment may have on students when they are younger is unlikely to carry over into their secondary school years. Only the more docile and presumably less difficult students, who want to avoid what is humiliating to them, are likely to be subdued anyway. One educator is quoted as saying:

> Once in a while paddling is effective because of the embarrassment in a student's peer group. The pain doesn't really mean much, except for very small children.
>
> --Felton, John, loc. cit.

The more difficult students are likely to bring into the upper grades more hostility to authority and less self-discipline if they are subjected to physical punishment in elementary school. (For specific findings, see discussion of self-discipline below.)

"SOMETIMES A TEACHER GETS SO FRUSTRATED HE JUST HAS TO HIT STUDENTS."

Everybody gets frustrated sometimes in the course of his work. Frustration needs an outlet, but there are many outlets other than violence against human beings. It would be considered unprofessional for a doctor, however, to hit a patient who didn't respond to treatment but persisted in remaining sick, no matter how frustrated he became. Similarly, it might be considered unprofessional for a teacher to hit a student who didn't respond to instruction.

> The fact that teachers have "exasperation points" (as do we all) should not be a basis on which they are relieved of responsibility and liability for their actions.
> --Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 22.

> We may, indeed, administer corporal punishment in order to relieve our feelings or to save our nerves, but let us not delude ourselves into thinking that we are doing so for the good of the student. This can be promoted only by helping him to understand and master himself.
> --Nash, Paul, op. cit., p. 304.

The real source of frustration is in many cases a feeling of inability to cope effectively with a situation, not the person whose behavior is exemplifying that situation. A competent teacher, working in conditions that make it impossible to exercise his professional judgment, may abandon all attempts to maintain discipline without striking children.

> Corporal punishment allows a teacher to feel that she is really doing something, that she is really accomplishing some behavioral change. It provides a certain satisfying feeling that she is taking a direct and active step. In reality she is striking out in response to her own exasperation. She is displaying her own weakness. She is solving her own problems, not the children's.
> --Katz, William K. "Corporal Punishment for Handling Behavior Problems: It Just Doesn't Work." (Memorandum) p. 5.

> (Teachers who paddle children) are admitting that they've been forced into situations they can't deal with and that they don't want to take the time to check out the situation.
> --Felton, John, loc. cit.

The availability of physical punishment as a recourse presents temptations to use it even more, perhaps, than the teacher intends.

> The adult has a decided "weight" advantage in his larger size, greater physical strength, and superior economic and social position. There is every inducement to use this advantage often for the benefit of the punisher instead of the punished.
> --Thomson, Mehran K. "Motivation and Learning." Educational Psychology. (Edited by Charles E. Skinner.) New York: Prentice-Hall, 1946. p. 206.

> As resentment, anger, hate, though unspoken, flow from the victim, that which started out as humane and just correction can, with the first blow, be sparked to excess.
> --Spinning, James M. "Corporal Punishment? Considerably Less Than Seldom." NEA Journal 52:19-20; September 1963.

The effect of repeatedly and righteously inflicting physical pain is likely to be more detrimental to a teacher's mental health than learning other ways of dealing with frustrating circumstances would be.

> In the long run, punishment, unlike reinforcement, works to the disadvantage of both the punished organism and the punishing agent.
> --Skinner, B. F. Walden Two. New York: Macmillan, 1948. p. 183.

> The crying need is to investigate the effects of force on those who resort to it. The answer is unequivocal that it is detrimental.
> --Reiwald, Paul. "Non-Violence and Self-Government in Training Schools and Penitentiaries." Searchlights on Delinquency. New York: International Universities Press, 1965. p. 371.

In evaluating corporal punishment, one also has to consider the effect of its repeated use upon the person administering that punishment. Psychologically, he must adapt to it some way or other. Is he at first disturbed by it? Does he then become indifferent to its effects or perhaps even learn to enjoy it? We can only speculate on the possible effects on the administrator of corporal punishment but we are concerned about him almost as much as we are concerned about the child who is the object of corporal punishment.

--Feshbach, Seymour, and Feshbach, Norma. (University of California at Los Angeles) "Some Comments on the Use of Corporal Punishment in the Los Angeles Schools." (Memorandum) p. 2.

"It's good for students."

"STUDENTS LEARN SELF-DISCIPLINE FROM CORPORAL PUNISHMENT."

The discipline policy of the Dallas Independent School District states:

Effective discipline helps an individual progress from the need of external controls to the self-discipline of the mature adult.

Statistics given to the Task Force by the Dallas central administration indicate that there were 335 incidents of corporal punishment in January 1971 and 2,147 incidents in January 1972. Unless corporal punishment is being used for more and more trivial offenses, the increase in incidence seems to show that more offenses are being committed and student self-discipline is declining.

By using fear (as prompted by corporal punishment), we may be able to gain control over the child, but the child will not be able to control himself.

--Buxbaum, Edith. Your Child Makes Sense. 1949.

In fact, corporal punishment only encourages students to avoid being caught doing anything against the rules.

Fact: Corporal punishment, when used successfully, is a way of modifying overt behavior, not of changing basic personality structure. A hostile child remains hostile, an impulsive child remains impulsive, and a delusional child will most assuredly not lose his delusions. We may smooth off the one-ninth of the iceberg above the surface, but the portion below the surface remains as treacherously jagged as before.

--Taylor, Martin D. "Spare the Rod—For Whom?" Clearinghouse 33:388; March 1959.

When the probability of being caught is removed—for example, when the student leaves school—the forbidden actions are likely once again to be performed openly.

Physical punishment does not permanently change behavior, but merely suppresses the punished response during the period that the punishment is continued.... On the whole, the research suggests that mild physical punishment (which hurts little or not at all) has no direct inhibitory influence on behavior; moderately strong punishment (which hurts) suppresses responses temporarily but has no long-term effect on behavior; extremely severe punishment (which hurts a great deal) may eliminate behavior permanently, but in order to do so the punishment must be positively terrifying and traumatic.

--Nash, Paul, op. cit., p. 302.

What corporal punishment does develop is aggressive hostility.[8] A junior high school principal is quoted as saying:

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[8]From their medical investigations the (Home Office Advisory) Council (on the Treatment of Offenders) found that the more stable the personality the less harm was likely to occur from corporal punishment, but that with such stable personalities other forms of punishment would be likely to prove equally effective. Medical witnesses were agreed that if an individual already had substantial elements of resentment in his makeup, corporal punishment would be likely to make it worse.

--Nash, Paul, op. cit., p. 307.

I have not administered corporal punishment in the last fifteen years and have my doubts as to whether it helped reform anyone when we did resort to it. I think in many cases it made for hard feelings. I met a man on the bus whom I had paddled when he attended school here, and he wouldn't speak to me. Some of the boys whom I paddled not only continued to misbehave while here but ended up in reform schools and the state penitentiary. One of them became the "Silk Stocking Bandit" of local fame, and another killed the cashier of a local department store.

--Cutts, Norma E., and Moseley, Nicholas, loc. cit.

Corporal punishment also teaches students that physical violence is an acceptable way to resolve differences or enforce demands.[9] Edgar Friedenberg tells of the small-town high school where—

the principal publicly paddled two insubordinate older high-school boys. They had "gotten too big for their breeches," presumably; and he cut them down to size by physical humiliation. They offered him little resistance; and they accepted his decision that their self-esteem should be attacked—and defended—in physical terms. Later in the afternoon they murdered his wife.

--Friedenberg, Edgar Z. The Vanishing Adolescent. Boston: Beacon Press, 1959.

A parent points out that "A casual resort to aggression is just the sort of behavior boys in junior high need to be led away from. In our increasingly violent society, teachers should be attempting to create a humane environment in which the capricious use of violence has little place."

Physical punishment teaches, in short, that might makes right:[10] school authorities can hit a student (and claim the right to hit him) because the student has hit someone (and is told he is wrong in doing so).

The valid argument against physical punishment is that it calls for the kind of aggression that can't be internalized. When you are hit, you want to hit back. (Cites Redl, Fritz, unpublished lecture, March 29, 1957.)

--American Civil Liberties Union of Michigan, op. cit., p. 23.

Further evidence regarding these particular issues is provided by the research findings of the Gluecks, Frued, MacKinnon, and Sears which verify (1) an inverse relationship between the use of corporal punishment and the development of conscience and (2) a positive correlation between the use of corporal punishment and the development of aggression and delinquency. (Cites Brown, Roger. Social Psychology. New York: Free Press, 1965. pp. 382-89.)

--Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 23.

[9]By using force, teachers set an example which preaches eloquently that deep down they believe that might is right, and that size or brawn mean more than logic and wisdom. Corporal punishment is a denial of everything an educator should stand for.

--Redl, Fritz, and Wattenberg, William W. Mental Hygiene in Teaching. Second edition. New York: Harcourt, Brace & World, 1959. p. 375.

The child who learns from his teachers that violence and force are ways to get things done will use them. If he realizes that reason and interpersonal skills are hypocrisies and luxuries to be used only when matters are not important, then he learns another piece of cynicism about adults. If he realizes that the teacher is a sham who sermonizes about that which she does not believe or that she little values, it brings into question everything that the teacher tries to convey.

--Katz, William K., op. cit., p. 5.

The general public, ignorant of the fact that the history of the typical delinquent reveals frequent and severe corporal punishment, is convinced that all that is needed (to curb delinquency) is a return to the woodshed type of discipline in home and school.

--Cutts, Norma E., and Moseley, Nicholas, op. cit., p. 113.

[10]What the child really learns from corporal punishment is that he lives in a violent world, that it is better to be strong than weak, better to be the spanker than the spankee, plus the subconscious determination that when he achieves x amount of years or inches or pounds, he too will be in a position to teach somebody else "a good lesson."

--Henry, Burton (California State College at Los Angeles). Letter, November 10, 1971.

A parent describes his child's school:

> If a student objects to a swat on the grounds that it is demeaning, he is subjected to name-calling.... May we point out that if such profanity were expressed by a student, he would be subjected to a swat.

One mother told the Task Force how the school must prepare students for adulthood: "Do you think the law gives less punishment to the one who steals because he's hungry than to the one who robs a bank? I suspect that it would be the contrary. And kids want us to teach them to live in our society, so they have to learn this."

Educators who don't want to prepare students to acquiesce to injustice can teach a different lesson. By refraining from corporal punishment, they can demonstrate how a person can get angry without hitting anyone. Katz points out that it is children who are accustomed to being controlled by force who "need to learn that there are other ways to respond to frustration and failure. They need to be assured that their tentative, fumbling steps at more acceptable behavior will be recognized and strengthened." (Op. cit., p. 6.)

Students who observe or undergo physical punishment also recognize that their school is using no more sophisticated options for dealing with facts it finds unpalatable than they themselves do. To say that using physical punishment to handle difficulties brings the teacher "down" to the level of the student would be imprecise. A child or adolescent who does something childish or adolescent is behaving appropriately; a teacher who does so is not.[11] Students may conclude from physical punishment that the school has nothing useful to teach them about ways of solving their problems—that the school is in fact irrelevant to them. A staff member in a street academy was succinct: "Any place a teacher beats a kid, the kid is smarter than the teacher."

Even when corporal punishment is administered for a recognized offense, after fair evaluation of the situation, students are likely to consider it unjust or, on the other hand, simply as payment for an act that can then be repeated. But corporal punishment is frequently disproportionate to the seriousness of the offense, and students perceive this very quickly.[12]

> To base...authority on the use of corporal punishment is detrimental to the child's ability to relate to such authority in a socially and educationally constructive way. The child's ability to distort good intentions in some corporal punishment situations and to sense the injustice in others is abundantly clear.
>
> --Topp, Robert F. "Teachers Should Not Spank Children." Educational Forum 24:223; January 1960.

> Students are even doubtful as to the reason they received their "Swat" on occasion.
>
> --Letter from a teacher.

On many occasions, the teacher's words or direct teachings say one thing to the student while his actions or indirect teachings say something contradictory.... What the child appears to learn (from power-assertive techniques) is that aggression should not be directed toward those more powerful but it is permissible to aggress toward those of equal or lesser power. Harsh punishment is also apt to function as an additional source of frustration which, in turn, may facilitate further hostile feelings and acts.
--Clarizio, Harvey F., op. cit., p. 107.

[11](Corporal punishment means, not that the teacher) is utilizing a last resort, but that she has surrendered her professional status and is at the child's level, except that he is forbidden to strike back.
--Katz, William K. "Educationally Unsound: Katz Speaks out Against Corporal Punishment." Morgantown, West Virginia, newspaper, August 9, 1970.

[12]Last week my son received a swat.... His crime was crossing the street at lunch time to buy a pizza. He is seventeen and one half years old (six months away from registering for the draft where he is expected to die for his country if necessary). He feels that the swat is used for the sole purpose of degrading the student, and I agree with him.
--Letter from a parent.

The method is not, furthermore, commonly calculated to remove the cause of the offense, and therefore is unsuited to prevent its recurrence. In contrast, the principal of a school in the center of a large Eastern city told the Task Force he finds out the cause of misbehavior and prescribes actions to remove that cause. Students are suspended only in cases where the family will work with the school to change the students' behavior.

"CORPORAL PUNISHMENT BUILDS 'CHARACTER' OR 'MASCULINITY.'"

In one school district, a principal told students that swatting builds masculinity; the head gym coach told students that hitting builds character. These assertions seem to have little basis in fact, however.

> If a child appears to seek corporal punishment through his behavior, we should be on guard to the possibility that such punishment may be dangerously unsuitable for him. We must acknowledge that physical chastisement may not be unwelcome to the recipient, and we should be aware that there are children for whom the punishment gives deeper pleasure than the crime.
>
> --Nash, Paul, op. cit., p. 300.

> There is substantial evidence to suggest that the experience of violent bodily punishment in youth, particularly on the buttocks, strengthens tendencies toward sexual aberrations in later life. (Cites Levitt, Eugene E. "Sadomasochism." Sexual Behavior 1:68-80; September 1971.)
>
> --Reitman, Alan; Follmann, Judith; and Ladd, Edward T., op. cit., p. 17.

"CORPORAL PUNISHMENT IS NO WORSE THAN SUSTAINED PSYCHOLOGICAL HUMILIATION."

In many cases, physical punishment itself is extremely humiliating. The Task Force recognizes that pure psychological violence can be even more damaging than physical violence. They recommend that schools abandon all forms of discipline that may have harmful psychological effects and use only non-violent means of maintaining an atmosphere conducive to learning. (See "Some Alternatives to the Use of Physical Punishment" below.)

> To imprison children in a dark and solitary place; ... to torture the muscles and bones by the strain of an unnatural position, or of holding an enormous weight; ... to bring a whole class around a fellow pupil, to ridicule and shame him; to break down the spirit of self-respect, by enforcing some ignominious compliance ...—these, and such as these, are the gentle appliances by which some teachers, who profess to disregard corporal punishment, maintain the empire of the school room; as though the muscles and bones were less corporeal than the skin; as though a wound of the spirit were of less moment than one in the flesh; and the body's blood more sacred than the soul's spirit.
>
> --Mann, Horace. Reply to the Remarks of the Thirty-One Boston School Masters on the Seventh Annual Report of the Secretary of the Board of Education. Boston, 1844.

"IT MAKES STUDENTS FEEL SECURE, BECAUSE THEY HAVE FIRM GUIDANCE."

Some people say that young people feel insecure in the presence of weakness, and that this makes physical punishment for teenagers advisable. But corporal punishment is likely to be a way of avoiding involvement with students and concern for them, rather than a way of showing such feelings. Use of physical strength on weaker people has little relation to strength of character.

> Children have a right to be direct, but they need strength and consistency in adults in order that they may respect the adults and themselves ... most spankings are the result of anger. Beating is a sign of weakness, not strength.
>
> --Gil, David.

"The school's clients favor it."

"PARENTS USE IT."

A parent probably knows his child better than a teacher can. He has a different relationship, over a

much longer period,[13] within which to continually demonstrate that his love for the child is not diminished when he spanks the child.

> It has been demonstrated that many children experience physical punishment at home, with the implication that this makes it right for the school. But the school is not the home and the teacher is not the parent. Even if physical punishment were a good practice in the home, different intensities of relationship demand different techniques for control.
>
> --Morse, William C., and Wingo, G. Max. Psychology and Teaching. Second edition. Scott, Foresman Professional Educational Series. Chicago: Scott, Foresman and Co., 1962. p. 371.

A parent also has the opportunity to observe the results of his methods of discipline and try to correct the effects of any errors in judgment over a period of years. Similarly, a child can develop an understanding of his parents' approach to problems; he can hardly do so with a new teacher or teachers every year. A teacher cannot love all students as their parents do. An attempt to express love while inflicting corporal punishment—love based, after all, on less than a year's acquaintance—is a paradox children are particularly quick to recognize.[14]

> The only time corporal punishment can be used in the school without danger is when the relationship between the teacher and the pupil has been carefully built up over a long period of time (preferably several months), as a result of daily contact, and now rests upon a firm foundation of mutual respect and genuine affection. But in how many cases is it in fact used under such conditions?
>
> --Nash, Paul, op. cit., p. 305.

Corporal punishment is not necessarily legally permissible for school staff members just because it is lawful for parents. The school is a state agency, and so is subject to greater limitations than are individual citizens. In addition, parents themselves are forbidden by law to inflict serious injury on their

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[13] As it stands, any teacher (the teacher of the moment) is considered to represent the parent. Let us define a parent as an indivisible and non-multipliable unity in the child's experience and of which he normally has only two. The child as a public school pupil on the other hand, as he progresses from kindergarten through 12th grade, has about 100 teachers, strung out in clusters through this time process. Each of these teachers is in many ways different from the other and from each of the child's two parents. Can any and all of these possibly be considered as having the same evidential meaning to the child as his own parents? Should we not ponder to what degree the shortness and changeability of contact between the child and the teacher breaks down the value and meaning of the teacher parent?

--Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 15.

In general, home spanking or the more formal sacrament of the woodshed is a family matter. After all, home to most kids is home. It represents their chief source of security, nourishment, kindness. Most children grow up accepting parents as naturally ordained authority and, understanding violence better than justice, forgive them.

--Spinning, James M., loc. cit.

It is important to realize that conditions in many homes permit parents to make errors which the children can survive simply because over the years those parents have fed the children, tenderly nursed them through illnesses, played with them, and built up so strong a feeling of security that a spanking, a violent outburst of anger, or a nasty quarrel can be taken in stride. Although every teacher has some psychological aspect of a parent, the aspect which is lacking is that deep background of years of relationship. The extent to which punishment depends upon just that background makes its use much more risky in schools than it is in a family. Moreover, even in a family setting punishment is so tricky a technique that thoughtful parents are very careful in its use.

--Redl, Fritz, and Wattenberg, William W., op. cit., p. 309.

[14] A child can sense when you have his interest at heart and he knows you aren't interested in him when you start beating him.

--Felton, John, loc. cit.

children; similarly, the schools are restricted in inflicting injury. There is evidence, however, that both kinds of law are too meagerly enforced.

That some parents spank provides, furthermore, no logical justification for the school to behave the same way. In fact, children who are beaten at home are most likely to be among those who have serious adjustment problems at school.[15]

> Several studies of aggressive behavior indicate that parents who use more severe punishment for the same type of infraction by the child, especially corporal punishment, have more aggressive children.
>
> --Feshbach, Seymour, and Feshbach, Norma, op. cit., p. 1.

> Students who come from severely oppressive backgrounds, where painful physical punishment is frequently used, are likely to interpret such punishment from the school as being the same as that received at home—and react with more of the same rebellion which has characterized their behavior in both places.
>
> --Taylor, Martin D., loc. cit.

Support of corporal punishment by the schools lends the prestige of the educational institution to the practice, and encourages people outside the school to feel that they are justified in physical assaults on children. According to David Gil, abolishing punishment in schools would begin lessening the incidence of child-beating elsewhere.

"PARENTS WANT SCHOOLS TO USE IT."

Because this is a time of increasing parent interest in what goes on in schools, the fact that some parents call for corporal punishment of their children carries special weight. Some schools may seem to show more concern for parent opinion in this matter than for good professional practice in regard to discipline, information, or student rights. The school professional staff, especially administrators, should accept responsibility for weighing parent demands and acceding only to those that are educationally sound. As shown above, corporal punishment is not in that category; many other parent requests have equal or greater educational validity.

It is likely, in any event, that most parents who call for corporal punishment really mean that they want the school to educate their children by any means necessary. In a society where education is prerequisite to economic and social survival, this parental concern is only right and proper. One witness told the Task Force that parents in her community expected the school to maintain discipline, but not to use corporal punishment. "Parents may tell you that they don't mind if their children are hit," said another witness, "They may even tell you they want you to hit them. Reality, however, is that an unhappy child means a discontented parent."

If the school says that corporal punishment is necessary and the parent hasn't the educational expertise to propose other methods of making learning possible, he'll agree: "Spank my kid when he's bad." School people are responsible enough, however, to recognize that few parents mean they prefer corporal punishment to other forms of discipline. Most mean only that they want the school to get the educational results it seeks for their children. In some situations, parents may request corporal punishment only because the school offers them no other alternative to suspension. Suspension looks very serious on a student's record; it deprives him of the educational experience; and it puts the burden of daily supervision on the parents.

Parents who work outside the home during the school day, particularly, may accept corporal punishment as the alternative to having their child put on the streets. This was the reason given the Task Force

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[15](Suppose the school calls on the parent.) The parent disciplines the child at home in the manner to which he is accustomed. Incidentally, we must remember that the type of discipline used by the parent has already produced a child who does not behave acceptably. The behavior will probably change for a while but more likely than not the child will revert to his former behavior since nothing has really been done to change it.
--Marsico, Ann, op. cit., p. 128.

by one witness for the greater use of corporal punishment on poor than on middle-class children. Parents who want their children to be subjected to corporal punishment regardless of the educational effects, on the other hand, may consider the major purpose of the school to be something other than education.

"STUDENTS WANT CORPORAL PUNISHMENT."

Students may prefer corporal punishment to other alternatives for several reasons. They may consider it an easy way out of trouble—it doesn't use much of their time or require them to change their behavior. Students who are given a choice between corporal punishment and being sent home or having their parents notified often choose physical punishment; they want to avoid attempts by their parents to bring them into conformity with the school's behavioral standards. Students also find corporal punishment a good way to prove and openly demonstrate their toughness and endurance. Other types of students may consider it a good way to bring the hidden malevolence of authority into the open for all to see, thus justifying their behavior and politicizing the other students. Still others feel guilty about secret offenses and find relief in punishment. None of these purposes, however, has ever been educationally defensible.

Arguments Concerning Circumstances of Infliction

In addition to the arguments concerning the justifiability of inflicting pain as a penalty, two other common arguments require examination. The first concerns legal or school board restrictions within which physical punishment is supposed to be confined. Many people feel that corporal punishment is excusable, perhaps even functional, if it is used within certain narrow restrictions. In light of the evidence, the Task Force cannot accept this. A little of a useless and often harmful thing is no more justifiable than a great deal of it.

"Corporal punishment isn't used much anyway."

It's used fairly frequently in at least one district. Figures from the Dallas school administration show an average of more than 2,000 reported incidents of physical punishment a month in 1971-72.

"IT'S A LAST RESORT."

> It appears that the same behavior which causes one teacher to turn to "the last resort" doesn't disturb another, or is handled in another manner . . . the selection of children to be hit seems quite inconsistent and arbitrary.
>
> --McElvaney, Charles T.

If corporal punishment caused lasting improvement in students' behavior, it would be a good first resort. As it is, it's best omitted altogether.

> If a child is a disciplinary problem and all alternate methods of discipline have been exhausted other than paddling, then surely swatting will not change the behavioral pattern of the child, particularly at the high school level.
>
> --Statement of Concerned Parents Committee, Covina, California.

> The secondary-school student who is not amenable to less-drastic forms of punishment will probably behave even worse after corporal punishment. . . . If you do not agree with us, we urge that you keep thorough records in all cases where corporal punishment is administered to see whether or not it improves the individual's behavior in school and whether or not he becomes a good citizen after he leaves school.
>
> --Cutts, Norma E., and Moseley, Nicholas, op. cit., p. 141.

These are the students, for example, who may be cultivating a reputation for toughness or seeking justification for violence.

"PARENTS PERMISSION IS REQUIRED."

The Task Force was told that Dallas teachers are supposed to secure parental permission before using corporal punishment; whereas administrators are not. The superintendent reportedly said the

requirement was made because there "might be some medical reasons" for not using corporal punishment. Teachers, however, are likely to be more familiar with the student, including his medical condition, than administrators.

Parental permission tends to create two classes of students—those who are punished by the infliction of physical pain and those who are dealt with in other ways. Usually the distinction follows socioeconomic lines, because middle class parents are more likely to insist on other forms of discipline. Because of this distinction and because he has explicit parental approval, the person who gives the "licks" is likely to hit harder than if he were swatting middle class children whose parents might object.

"IT'S VERY LIMITED IN SEVERITY."

Some school systems may limit corporal punishment to two "swats," for example. Yet, physical punishment often occurs even where it is forbidden. A school system that condones hitting students runs the risk of tempting staff members to exceed the prescribed amount or method in severity. The Task Force in fact heard or received testimony in several cities to the effect that the regulations for corporal punishment are ignored in many cases.

"IT'S ONLY USED AFTER A THOROUGH PROCEDURE."

Some school system regulations require educators to take steps like counseling, meeting with the parents, and securing recommendations from other staff members before corporal punishment is administered. When such regulations are written with sufficient care to make physical punishment a rarity, however, they are commonly ignored as being "too much trouble."

When followed, such procedures can be damaging:

> Still another cause of ineffectual or harmful results is a penalty which is too drawn out or is deferred. So long a delay intervenes between the incident and the "punishment" that the child's feelings of guilt have evaporated; he experiences the punishment as only a hostile frustration, not an educational act. If there is such a delay, of course, the most likely effect is to destroy any positive relationship which may have existed between teacher and pupil.
>
> --Redl, Fritz, and Wattenberg, William W., op. cit., p. 307.

"ONLY CERTAIN PEOPLE ARE AUTHORIZED TO ADMINISTER CORPORAL PUNISHMENT."

A school system may believe that not all staff members should be allowed to use corporal punishment. It should recognize, however, the severe strain that will be placed on those who must administer it on behalf of all the rest. The judgment, time, self-restraint, and professional attitude of those who do the school's "paddling" all are under pressure. Furthermore, these people are likely to become associated exclusively with punishment in the minds of the children.

"IT'S PRESCRIBED ONLY FOR THOSE INDIVIDUALS WHO WILL PROFIT FROM IT."

> You have to know when a punishment will do some good. Some kids you could beat to death and they won't change.
>
> --Felton, John, loc. cit. Interview with a principal.

Corporal punishment does not effect a lasting improvement in students' behavior. It may temporarily subdue some students, but they cannot be said to "profit" from it. Such a superficial result does not warrant the use of a method with so great a potential for harm.[16]

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[16]Every child at times, and some children with developmental problems almost chronically, may be unable to avoid negative consequences from corporal punishment. Whether it be a basically normal child or a disturbed child, the child's vulnerability to damage must be determined before such drastic procedures are used.

--Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 19.

"IT'S USED ON BOYS ONLY."

One witness expressed the opinion that "Young ladies are just too delicate for that sort of thing." Corporal punishment so strenuous as to injure a girl would necessarily inflict at least severe pain, if not equal injury, on a boy; it thus cannot justifiably be used on anyone. Corporal punishment that doesn't inflict injury, on the other hand, would be equally effective—or ineffective—for either sex. Similarly, to say that "girls don't need it" presupposes that boys are "worse" than girls—a shaky premise at best. A witness at a school board hearing was quoted to the Task Force as having said: "If girls can be disciplined without corporal punishment, boys can too. Using corporal punishment on boys and not on girls in the same situation is communicating to the boys that they are worse than the girls." On the other hand, an advocate of physical punishment for boys told the Task Force: "Girls are so conforming that when one of them gets to the point where she needs corporal punishment, she has to be sent to a special school."

In one district where boys had a choice between corporal punishment and suspension, girls were required to take suspension—a hardship on any student whose preference regarding punishment is that it be over and done with.

"IT HAS TO BE MADE LEGAL SO IT CAN BE USED AS A DETERRENT."

If a threat is to be effective, it must be credible. This means that to make an effective threat is to commit oneself to carrying it out. Thus, to threaten students with corporal punishment is to commit oneself to executing an educationally unsound procedure should specified conditions arise.

"It's legal."

The second argument concerning rules is based on the fact that in some places laws permit physical punishment. Laws, however, are continually being changed. Furthermore, they reflect the opinion of legislators rather than educational expertise.

"CORPORAL PUNISHMENT IS ALLOWABLE UNDER THE OLD COMMON LAW DOCTRINE OF IN LOCO PARENTIS."

That is, the school staff is justified in using any measure the parents could legally use to discipline the child. Corporal punishment in school, however, often exceeds measures parents could use without being liable to prosecution. When it does not, in loco parentis is cited as the legal foundation for its use. This theory was enunciated by Blackstone at a time when a child had one tutor. The tutor could logically be considered as acting in place of the parent, because the parent selected him and expected him to have a long and close relationship with the child. Far from delegating their authority to the schools, parents now are required by law to send their children to school, whether they want to or not. And the teacher no longer has a close extended relationship with the individual child. In addition to being based on an obsolete relationship, in loco parentis has become a rationale for actually curtailing the right of parents to make decisions about their children. In many cases, parents have brought suit against schools that were acting "in their place" but against their wishes. Gradually, in loco parentis is being replaced by state statutes and Constitutional principles as guides for the school's treatment of students.

"CORPORAL PUNISHMENT IS ALLOWED, OR AT LEAST NOT FORBIDDEN, UNDER THE STATUTES OF ALMOST EVERY STATE."

Laws in 13 states specifically permit corporal punishment; others specify that the teacher has the same authority as the parents to discipline the child while he is in school or going to or from school. Still others provide simply that the teacher has a duty to maintain order and discipline. However, some educators consider corporal punishment to be contrary to several provisions of the United States Constitution.

> It is on the Puritan system of governance that our great public school system was developed and flourished. These principles have repeatedly been sanctioned by local and state courts and on occasion by legislatures.... Federal courts and civil liberties lawyers represent in general a quite distinct and different system of governance. This ... is the Madisonian system ... embodied in our federal constitution and interpreted over the years by our federal courts. In it the rights of individuals, far from being left out, are central.
>
> --Ladd, Edward T., op. cit., pp. 12-13.

Constitutional provisions invoked by those seeking to abolish corporal punishment are enunciated in the Fifth, Sixth, and Fourteenth Amendments (the state may not deprive a citizen of basic rights without due process) and the Eighth and Fourteenth Amendments (the state may not subject a citizen to cruel and unusual punishment). Amendments Five, Six, Eight, and Fourteen to the Constitution of the United States read as follows:

> V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal cases to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
>
> VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.
>
> VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
>
> XIV. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The argument regarding due process is as follows. The public school is an agency of the state. The state may not violate a person's liberty without due process. To violate the integrity of a person's body is to violate his liberty. Therefore, a public school teacher may not strike a person without due process. Due process usually includes at least notice of the charges, right to counsel, right to confront the accuser, and separation among prosecutor, judge, and executioner. In the case of children punished in school, the elements of due process need not all be present to provide Constitutional rights; but evident fairness—evident to the students as well as to the school staff—is necessary from the earliest school experience.

> (The) transfiguration of the formal requirements of due process in an agent of the state we hold to be a minimal requirement under the Constitution and not the mere reflection of a particular educational philosophy or a benign and child-loving personality.
>
> --Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 12.

The full process, moreover, is necessary for such serious steps as suspension or expulsion, which deprive the student of his right to education.

The cruelty—physical, mental, or both—of most forms of corporal punishment can be illustrated, but needs no proof because they are cruel in their very nature. That it is unusual is equally self-evident. As early as 1853 a judge observed:

> The husband can no longer moderately chastise his wife; nor, according to the more recent authorities, the master his servant or apprentice. Even the degrading cruelties of the naval service have been arrested. Why the person of the schoolboy, "with his shining morning face," should be less sacred in the eye of the law than that of the apprentice or the sailor, is not easily explained.
>
> --Judge Stuart of the Supreme Court of Indiana. Decision in the case of Cooper v. McJunkin, (1853), 4 Ind. (Porter) 290.

The distinction between the way our society treats its children and the way it treats its convicts is striking:

> Children in our schools . . . may be struck several times with a 12-inch board for the "crime" of talking without permission or not dressing for gym. What we have, in effect, is that the child,

deprived of any semblance of formal due process, may be physically struck with a weapon—a punishment which may not, in this state and in most others, be visited upon a felon convicted of rape, armed robbery, murder, and other high crimes and who has, in fact, received the benefit of due process in the courts.

--Metropolitan Detroit Branch, American Civil Liberties Union of Michigan, op. cit., p. 13.

It is no longer legal for public employees to beat prisoners, military personnel, employees or inmates of institutions. Nowadays, in fact, only beating school children is legal, and it is legal only in a few nations and some districts of this nation. Some cities where corporal punishment is banned are Baltimore, Boston, Chicago, New York, Philadelphia, St. Paul, San Francisco, and Washington, D.C. It is banned by state law in New Jersey, Massachusetts, and by state school board policy in Maryland. It isn't allowed in Scandinavian countries or in Russia; it's been banned in France since 1887.

SOME ALTERNATIVES TO THE USE OF PHYSICAL PUNISHMENT

The Task Force suggests the following list of techniques for maintaining discipline without inflicting physical pain on students. It is far from exhaustive.

Short-Range Solutions

The first step that must be taken is the elimination of the use of punishment as a means of maintaining discipline. Then, the ideas below can be used as temporary measures to maintain discipline while longer-range programs are being put into effect.

1. Quiet places (corners, small rooms, retreats)

2. Student-teacher agreement on immediate alternatives

3. Teaming of adults—teachers, administrators, aides, volunteers (parents and others)—to take students aside when they are disruptive and listen to them, talk to them, and counsel them until periods of instability subside

4. Similar services for educators whose stamina is exhausted

5. Social workers, psychologists, and psychiatrists to work on a one-to-one basis with disruptive students or distraught teachers

6. Provision of alternate experiences for students who are bored, turned off, or otherwise unreceptive to particular educational experiences:

   a. independent projects
   b. listening and viewing experiences with technological learning devices
   c. library research
   d. work-study experience

7. In-service programs to help teachers and other school staff learn a variety of techniques for building better interpersonal relations between themselves and students and among students:

   a. Class meetings (Glasser technique)
   b. Role playing
   c. Case study—what would you do?
   d. Student-teacher human relations retreats and outings
   e. Teacher (or other staff)—student-parent conferences

8. Class discussion—of natural consequences of good and bad behavior (not threats or promises); of what behavior is right; of what behavior achieves desired results; of causes of a "bad day" for the class

9. Privileges to bestow or withdraw

10. Approval or disapproval

11. Other staff members to work with a class whose teacher needs a break.

Intermediate-Range Solutions

1. Staff-student jointly developed discipline policy and procedures

2. Staff-student committee to implement discipline policy

3. Parent education programs in interpersonal relations

4. Staff in-service program on interpersonal relations, on understanding emotions, and on dealing with children when they are disruptive
5. Student human relations councils and grievance procedures
6. Training for students and teachers in crisis intervention
7. Training for students in student advocacy
8. Training for teachers in dealing with fear of physical violence
9. Regular opportunities for principals to experience classroom situations.

Long-Range Solutions in Schools

1. Full involvement of students in the decision-making process in the school
2. Curriculum content revision and expansion by students and staff to motivate student interest
3. Teacher in-service programs on new teaching strategies to maintain student interest
4. Alternate programs for students
5. Work-study programs
6. Drop-out—drop-back-in programs
7. Alternative schools within the public school system
8. Early entrance to college
9. Alternatives to formal program during last two years of high school
10. Few enough students per staff member that staff can really get to know students
11. Adequate professional specialists—psychiatrists, psychologists, social workers
12. Aides and technicians to carry out paraprofessional, clerical, and technical duties so that professional staff are free to work directly with students more of the time
13. A wide variety of learning materials and technological devices
14. Full implementation of the Code of Student Rights
15. Full implementation of NEA Resolution 71-12: "Student Involvement"—

    The National Education Association believes that genuine student involvement requires responsible student action which is possible if students are guaranteed certain basic rights, among which are the following: the right to free inquiry and expression; the right to due process; the right to freedom of association; the right to freedom of peaceful assembly and petition; the right to participate in the governance of the school, college, and university; the right to freedom from discrimination; and the right to equal educational opportunity.

Long-Range Solutions With Other Agencies

1. Staff help from local and regional mental health and human relations agencies
2. More consultant staff to work with individual problem students
3. Long-range intensive in-service programs to prepare all staff to become counselors
4. Mass media presentations directed to both the public and the profession on the place of children in contemporary American society
5. Some educational experiences relocated in business, industry, and social agencies
6. Increased human relations training in preservice teacher education and specific preparation in constructive disciplinary procedures.

PROPOSED MODEL LAW OUTLAWING CORPORAL PUNISHMENT

Corporal Punishment of Pupils

No person employed or engaged by any educational system within this state, whether public or private, shall inflict or cause to be inflicted corporal punishment or bodily pain upon a pupil attending any school or institution within such education system; provided, however, that any such person may, within the scope of his employment, use and apply such amounts of physical restraint as may be reasonable and necessary:

1) to protect himself, the pupil or others from physical injury;

2) to obtain possession of a weapon or other dangerous object upon the person or within the control of a pupil;

3) to protect property from serious harm;

and such physical restraint shall not be construed to constitute corporal punishment or bodily pain within the meaning and intendment of this section. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing corporal punishment or bodily pain to be inflicted upon a pupil attending a school or educational institution shall be void.